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**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1642**

Patent Docket P1256R3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Virginia E. Paton et al. Serial No.: 09/209,023 Filed: December 10, 1998 For: TREATMENT WITH ANTI-ErbB2 ANTIBODIES	Group Art Unit: 1642 Examiner: J. Hunt  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on  August 27 2001 <i>Wm Lee</i> Wendy M. Lee
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**AMENDMENT AFTER FINAL OFFICE ACTION UNDER 37 C.F.R. §1.116  
AND REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION**

Box AF  
Assistant Commissioner of Patents  
Washington, D.C. 20231

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Sir:

In response to the Office Action dated October 25, 2001 issued in connection with the captioned application, please consider the following. A Notice of Appeal was filed February 27, 2001. This amendment is accompanied by a request for a 4 month extension of time and the requisite fee.

IN THE CLAIMS:

Please cancel claims 20-33 without prejudice or disclaimer.

Please add the following claims: